DOCUMENT RESUME

ED 414 259 SP 037 661

AUTHOR	Kirkpatrick, David W.
TITLE	Alternative Teacher Organizations. Evolution of Professional Associations. Policy Study No. 231.
INSTITUTION	Reason Foundation, Los Angeles, CA.
PUB DATE	1997-09-00
NOTE	43p.
AVAILABLE FROM	Reason Public Policy Institute, 3415 S. Sepulveda Blvd., Suite 400, Los Angeles, CA 90034.
PUB TYPE	Information Analyses (070)
EDRS PRICE	MF01/PC02 Plus Postage.
DESCRIPTORS	Change Strategies; *Educational Change; Educational History; Elementary School Teachers; Elementary Secondary Education; Secondary School Teachers; *Teacher Associations; Teacher Improvement; *Unions
IDENTIFIERS	American Federation of Teachers; National Education Association; State Education Associations

ABSTRACT

This report gives a brief account of the history and policies of teacher organizations in the United States. It provides profiles of several local, state, and national independent education organizations, notes the services they offer for teachers, and discusses their strengths and weaknesses. The first two sections on the National Education Association and the American Federation of Teachers examine the background and membership of each group and the sources of member dissent. The next section examines national independent education organizations, which exist to provide alternatives to the two major national unions. The independent organizations discussed are: the National Association of Professional Educators, the Association of American Educators, and other national alternative education organizations (the Coalition of Independent Education Associations, the Christian Educators Association International, the National Association of Catholic School Teachers, and the Association of Educators in Private Practice, and Concerned Educators Against Forced Unionism). The fourth section examines state independent education associations in Texas, Georgia, Missouri, and other states. The fifth section examines local independent education associations in Ohio and Indiana. The report concludes with a discussion of prospects and problems for alternative associations, offering legal, organizational, and procedural strategies for change that would increase their ability to better represent their members and provide teachers with a diverse arena of professional organizations from which to choose. An appendix lists national and state teacher organizations. (SM)

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September 1997

Alternative Teacher Organizations

Evolution of Professional Associations

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Policy Study No. 231, September 1997

Alternative Teacher Organizations:

Evolution of Professional Associations

By David W. Kirkpatrick

EXECUTIVE SUMMARY

Teachers across the nation want their profession to be regarded as legitimate, gaining the recognition and respect that comes from that distinction. One way that teachers address this need is through organizing themselves into professional associations. Two major national associations have dominated the scene over the past thirty years, the National Education Association (NEA) and the American Federation of Teachers (AFT). Combined, these two organizations have a membership of over 3 million, with the largest share belonging to the NEA at 2.2 million members.

Despite the enormous presence of these two organizations, several other teacher organizations, also known as independent education associations (IEAs), emerged to act separately on behalf of teachers at the local, state, and national levels. While these alternative organizations were established for a variety of reasons, many were created in reaction to the structures, political strategies, and/or focus of the two major national unions. IEA membership—local, state, and national—is estimated at 300,000. The greatest appearance and strength of IEAs remains at the local and state levels, with Texas, Georgia and Missouri totaling 160,000 members—each larger than their respective state NEA or AFT affiliates.

In order for these independent education associations to grow and flourish, several strategies must be considered including legal, organizational, procedural, and structural. Many of the privileges that the two major unions have exist because of legislation within the states and districts. Following are examples of legislative action that would aid teachers and IEAs:

Bargaining Laws. Central to these would be the repeal of exclusive bargaining rights that only allow negotiations with a single union. In Missouri, for example, school boards cannot enter into a contract other than with individual teachers, though it is not illegal to adopt proposals from teacher groups.

Reverse Checkoff. The "reverse checkoff," whereby funds are withheld unless the worker specifically asks for its return, is prohibited by federal law and in many states. Therefore, it might be possible to prohibit it in other states.

PAC Contributions. In 1995, Michigan, which has historically had one of the strongest state education associations in the nation, banned both unions and corporations from collecting political contributions through automatic payroll deductions. The Michigan Education Association took the law to court, but it was upheld.

Membership Resignation. The ruling in *Pattern Makers League of North America v. NLRB*, 473, U.S. 95 (1985) that union members in the private sector have the right to resign their membership at any time, if extended to members of all public unions as well, could improve teacher options.

By removing these and other legal and procedural barriers, IEAs would be better able to compete with the NEA and AFT. More importantly, teachers will benefit by having a greater choice of representation, enjoying many of the benefits of belonging to a professional organization (e.g. liability insurance, knowledge sharing), often with lower membership dues.

This report gives a brief history of teacher organizations in the Unites States, along with a profile of several local, state, and national independent education organizations and the services that they offer for teachers along with their strengths and weaknesses. The report concludes with specific recommendations that would increase the ability of these alternative organizations to better represent their members and provide teachers with a diverse arena of professional organizations from which to choose.

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Part 1

Introduction

Among teacher membership organizations, two groups—the National Education Association (NEA) and the American Federation of Teachers (AFT)—have dominated over the past thirty years. However, numerous other independent teacher membership associations exist. Many emerged in the 1970s or later to provide alternatives to the two major national unions. While these alternatives were established for a variety of reasons, many were created as a reaction against the structures, political strategies, and focus of the NEA and AFT.

For teachers, these alternatives offer potential benefits and challenges. On the one hand, they provide an array of options regarding organizational purpose and membership representation. On the other hand, the small size of many of these alternatives—whether due to legal barriers or other causes—can limit their ability to provide teachers with the professional support services and voice in education policy that they desire. None has yet developed a substantial national presence that serves as a counterweight to the NEA and AFT, though in some instances the maintenance of a local or state focus by these alternative organizations is deliberate.

At least some of the organizations do, however, possess potential to become effective at the local, state, and national levels. Some already play a substantial role at least at the local level and in particular states. However, external and internal organization barriers still limit their overall effectiveness, especially as alternatives to the NEA and AFT.

This report examines the history and policies of the NEA and AFT, and then presents brief descriptions of the capabilities, motivations, and limitations of an array of other teacher membership organizations. The report concludes with a series of recommendations that would enhance the ability of these alternatives to effectively serve their membership and create robust competition and diversity among teachers' organizations.

Part 2

The National Education Association

A. Background and Membership

A public system of education began to emerge with the establishment of a school district in Philadelphia in 1818, the passage of The Free School Act in Pennsylvania in 1834,[1] and the efforts of Horace Mann as Secretary to the State Board of Education in Massachusetts, 1837–1848.[2] The first compulsory school was a reform school, begun in Westboro, MA in 1848.[3] By this time, the first state education association had been created in Alabama in 1840.[4] What is now the National Education Association (NEA) was organized as the National Teachers' Association in Philadelphia, August 26, 1857, "to elevate the character and advance the interests of the profession of teaching and to promote the cause of popular education in the United States." The word 'popular' was dropped in 1907.[5]

For much of its history the NEA remained a small organization, with only 2,332 members in 1900 and 6,909 in 1910.[6] Its direct influence on teachers and schools was minimal, although its recommendations sometimes had some impact, as in 1889 when one of its commissions suggested simplified spelling of common words, such as "tho, altho, thru...program, catalog, pedagog...."[7] Much of its growth occurred because administrators commonly insisted "candidates for teaching positions agree to join their local and state associations as well as the NEA as a condition of employment."[8] Its membership was not particularly committed to the organization, both because of the pressure to join and the fact that NEA was, at that time, still dominated by the administrators in its ranks.

Membership figures show some fluctuations just prior to NEA's explosive growth. One commentator says it "had over 560,000 administrator and teacher members" in 1954.[9] However, NEA's president in 1995, Keith Geiger,

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1 Robert L. Leight, *The first 150 years of Education in Pennsylvania* (Harrisburg, PA: Pennsylvania School Boards Association, 1984), p. 24.

2 Joseph G.E. Hopkins, ed., *Concise Dictionary of American Biography*, 1964, p. 635.

3 Michael B. Katz, *Reconstructing American Education* (Cambridge, MA: Harvard University Press, 1987), p. 51.

4 Charlene K. Haar, Myron Lieberman, and Leo Troy, *The NEA and AFT, Teacher Unions in Power and Politics* (Rockport, MA: Pro-Active Publications, 1994).

5 NEA Charter & Bylaws, distributed at the Representative Assembly in Kansas City, July 1990.

6 Lawrence A. Cremin, *American Education: The Metropolitan Experience, 1876–1980* (N.Y.: Harper & Row, 1988), p. 238.

7 H. L. Mencken, *The American Language*, Supplement II (N.Y.: Alfred A. Knopf, 1962, 1948), p. 311.

8 *The NEA and AFT, Teacher Unions in Power and Politics*, p. 16.

9 Charlene K. Haar, "'PTA': It's Not 'Parents Taking Action,'" *Privatization Trends*, November 1994, p. 4.

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states that the NEA had only 330,000 members in 1964, which, by 1995, had increased to 2.2 million.[10] Practically all administrators and many others, such as subject-matter specialists, dropped out of the NEA when it changed from an association to a union. However, most of that change happened after 1964, so it doesn't account for what would appear to be a loss of 230,000 members, over 40 percent, in the ten-year period between 1954 and 1964. In any event, the NEA was proportionally a much smaller organization in membership in both 1954 and 1964 than it is today. Likewise, it is dramatically larger today in terms of total budget, staff, and influence.

B. Sources of Member Dissent

1. Collective Bargaining

In 1961, the United Federation of Teachers (UFT), New York's local affiliate of the AFT, won an election and succeeded in uniting 106 teacher groups in New York city.[11] The effect upon the NEA was almost instantaneous.

In 1960 the NEA assembly had rejected a resolution that "representative negotiations are compatible with the ethics and dignity of the teaching profession."[12] By 1961 it was advocating collective bargaining.[13] The change did not come easily and was far from complete that year. In the 1960's, contract discussions were generally referred to as "professional negotiations" rather than "collective bargaining." The latter term, as well as direct reference to NEA as a "union," were anathema to many of the NEA's members at the time.

Nonetheless, the new attitude was adopted much quicker in some regions than in others. The first collective-bargaining law came in Wisconsin, in 1962.[14] It was followed quickly by others, primarily across the northern half of the nation. Elsewhere, many states, especially in the south, still do not require collective bargaining, and they often have "right-to-work" laws, frequently supported by local teachers both individually and as members of independent education associations (IEAs).

Despite objections to collective bargaining that continue to this day, the overall impact on NEA membership was positive. From the 330,000 figure cited for 1964, NEA membership shot up to 1.1 million by the 1969-70 school year. The gain in that latter year alone was 85,880, the greatest annual growth in NEA history, with the largest single increase, 33,318 or 61 percent of total growth, occurring in Pennsylvania.

2. Unified Membership

Until 1975 teachers in many states could still join one, two, or all three levels of the association—local, state, and national—or, of course, not join at all.[15] NEA then adopted a unified membership requirement, which required teachers to become members of the state and national NEA organizations as well as the local affiliate. This requirement caused large numbers of educators to drop out, or not join originally. This NEA policy, according to

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[10] President's address, *Proceedings of the National Education Association 1995 Representative Assembly*, Washington, D.C.: NEA, 1996, p. 10.

[11] David Hill, "The Education of Al Shanker," *TEACHER Magazine*, February 1996, pp. 22–29.

[12] William R. Grant, "School Desegregation and Teacher Bargaining: Forces for Change in American Schools," Stuart Sandow & Wesley Apker, Editors, *The Politics of Education: Challenges to State Board Leadership* (Bloomington, IN: Phi Delta Kappa, 1975), p. 27.

[13] "'PTA': It's Not 'Parents Taking Action,'" p. 4.

[14] "'PTA': It's Not 'Parents Taking Action,'" p. 5.

[15] Charlene K. Haar, "Teacher Union Revenues and Political Action," *Government Union Review*, Spring 1994, pp. 1–32.

some critics, "is its Achilles' heel, as it is one of the most despised features or requirements."[16] Yet despite controversy over the unified membership requirement, NEA membership increased from 1.1 million in 1970 to 2.2 million in 1995, an average growth of more than 44,000 a year for a quarter of a century.

Membership became larger and more varied. On the one hand, nearly all administrators "withdrew or were in effect expelled from the associations." The American Association of School Administrators, comprised of the nation's school district superintendents, hung on until December 21, 1972, when it voted to end its relationship with the NEA.[17] Curriculum and instruction organizations also became independent.[18] Losses also included many classroom teachers.

On the other hand, these losses were more than made up by the growth of the public teacher base in the 1960s and early 1970s, an upward trend that has reappeared in recent years, and by the decision to organize support personnel such as secretaries and bus drivers who had heretofore not been included in the associations. Membership totals also included retired teachers, "life" members (a form of membership no longer available) and students, among others. In some instances, membership goes beyond the education professions. For example, the Pennsylvania State Education Association has organized some hospital nurses, even when it meant "raiding" another union, the Pennsylvania Nurses Association (PNA).

The NEA has been the biggest obstacle to educational reform in this country.
Billy Boyton and John Lloyd, former executive directors of the NEA.

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3. Political Activism

Roughly 25 percent of NEA's members were not full-time teachers in 1993–94, and 25–30 percent of public school teachers do not belong to a union, nor do many private school teachers.[19] Nevertheless, the NEA became a strong political force. Only 12 percent of private workers belong to a union, and 38 percent of public employees, compared to more than 70 percent of public school teachers belonging to a union. NEA members have been the largest single group of delegates at every Democratic national convention since 1980, even larger than California's delegation.[20]

Educators are the only group distributed roughly proportionally throughout the nation, with teachers constituting about one percent of the population, from the most rural to the most urban areas. With 2.2 million members, the NEA averages more than 5,000 members per district. Organized effectively, as they have been in recent years, their impact can be substantial. They "are everything the school boards and school reformers are not. They are structured, well financed, highly focused, organized, coherent, coordinated, and overall, highly effective

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[16] Milton Chappell, Esq., "Seeking a New Foundation: Legislative and Practical Alternatives to the Current Monopoly Bargaining Model that Will Enhance the Viability of Independent Teacher Groups," *Government Union Review*, Summer 1995, p. 18.

[17] John D. Kennedy, "When Collective Bargaining First Came to Education: A Superintendent's Viewpoint," *Government Union Review*, Winter 1984, p. 24.

[18] *The NEA and the AFT, Teacher Unions in Power and Politics*, p. 19.

[19] Carl F. Horowitz, "Do Unions Represent Teachers," *Investor's Business Daily*, Sept. 17, 1996, pp. A1-2.

[20] "Teacher Union Revenues and Political Action," p. 5.

organizations."[21] In 1972, the NEA became the first education association to create a national political action committee, NEA-PAC.[22]

a. Blocking Education Reform

Billy Boyton, former Executive Director of the Nebraska NEA, and John Lloyd, former Executive Director of the Kansas NEA, were quoted in 1994 as saying, "The NEA has been the biggest obstacle to educational reform in this country."[23]

Current NEA President Bob Chase expressed similar thoughts in a 1996 address to the National Press Club. Chase said, "we have used our power to block uncomfortable changes...too often, NEA has sat on the sidelines of change...quick to say what won't work and slow to say what will."[24]

In 1994, his predecessor, Keith Geiger, said the NEA faces formidable challenges: "There is," he said, "no question in my mind that we are either going to change as an organization or we probably will and should go out of business."[25] Geiger distanced himself from those who say the public schools are better than ever and that any criticism is the result of a conspiracy to destroy them.[26]

Despite interest in school reform by some NEA leaders, the organization has generally opposed reform. That opposition has driven some teachers to seek alternative professional organizations that are either neutral or supportive of reform efforts.

We are either going to change as an organization or we probably will and should go out of business. *Keith Geiger, former president of the NEA*

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b. Adopting Controversial Political Resolutions

A second feature of NEA activity—its adoption of resolutions on controversial social issues such as gun control or abortion—has also created discontent among some members. The NEA has the right to adopt these resolutions, but these issues often have no direct connection with education. The NEA focus on these issues distracts from what many members think NEA should be about—the direct interests of its members and concern for the interests of students.

An example at the local level involved teacher Randy Hoffman from conservative central Pennsylvania. Elected as a delegate to a convention of the state association, he surveyed the membership in his relatively small local union on the abortion issue and found that the majority opposed it. When he tried to get convention delegates to

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21 Anthony Krinsky, "The Failure of School Reform in America."[unpublished senior thesis], Harvard University, May 1995, p. 46.

22 "Teacher Union Revenues and Political Action," p. 5.

23 *Educational Freedom*, Spring-Summer 1994, quoted, p. 53.

24 Bob Chase, "The New NEA: Reinventing Teachers Unions for a New Era," Speech at National Press Club, February 5, 1997.

25 Peter Applebome, "G.O.P. Efforts Put Teachers on the Defensive," *New York Times*, September 4, 1995, p. A-1.

26 Ann Bradley, "Risk-Taking Key to Preserving Public Education, Geiger Says," *Education Week*, June 19, 1996, p. 6.

at least stay neutral on the issue, however, he was booed and shouted down. As a result, he has joined with a few other teachers and formed the Keystone Teachers Association.[27]

In addition, because the issues are controversial, the views expressed in the resolutions are not always shared by a substantial percentage of members. For example, in 1980 and 1984 most NEA members who voted did so for Ronald Reagan over Jimmy Carter and Walter Mondale. The NEA itself polled its members in 1985–86 and learned that two-thirds of them identified themselves as conservatives or leaning in that direction.[28] As recently as late 1996 one poll found that teachers identified themselves as 42 percent Democrat, 30 percent Republican and 28 percent independent. Only 25 percent said they were liberal, 35 percent were conservative, and 39 percent moderate.[29] Despite this profile, in the 1996 general elections the NEA backed more than 250 congressional candidates, not one a Republican.[30]

The money that teachers contributed to NEA-PAC followed the same pattern. Just prior to the November 1996 election, 99.1 percent of these funds in 1995–96 had gone to Democrats.[31] Teachers who made contributions to union PACs often found themselves fighting their own dollars.

c. Union-member Restrictions

The leading teacher unions face a third problem resulting from a failure to recognize and defend the rights of individuals who may disagree with accepted union policy. In one example that went to the U.S. Supreme Court, Albert M. Holmquist, a Madison, Wisconsin teacher, attended a school board meeting in 1971 and asked that the board not agree to a proposal compelling teachers to pay an agency fee to the union. The local teachers union said this action violated their exclusive bargaining rights, although Holmquist was clearly not "bargaining," nor seeking to have the board sign an agreement with him. On December 10, 1976 an unanimous U.S. Supreme Court ruled that "when the school board conducts public meetings the First Amendment prohibited it from discriminating between speakers 'on the basis of their employment or the contents of their speech.'"[32]

The *Hudson* decision of 1986 directed that those who might object to union fees be given the source of the figure used as the agency fee.[33] Then, in 1988, in *Communications Workers of America v. Beck*, the U.S. Supreme Court ruled that unions may only charge members "those fees and dues necessary to 'performing the duties of an exclusive representative of the employees in dealing with the employer on labor-management issues.'"[34]

The NEA has objected to these court decisions and often ignores them. The NEA has become embroiled in cases across the nation seeking to avoid any reduction in its fees. In at least one instance, "the NEA and its state and local affiliates were only able to prove that less than 10 percent of the general treasury funds went to chargeable activities (like collective bargaining)."[35]

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[27] Personal conversations with Randy Hoffman.

[28] William J. Bennett, *The De-Valuing of America* (N.Y.: Summit Books, 1992), p. 49.

[29] "Union Leaders' Campaign Spending Claims Hollow," *Sun-Gazette* (Williamsport, PA), Dec. 5, 1996.

[30] "Do Unions Represent Teachers," p. A1.

[31] "E Pluribus Union," editorial, *The Detroit News*, September 1, 1996.

[32] E.G. West, "The Perils of Public Education," *The Freeman*, November 1977, p. 690.

[33] Edwin Vieira, Jr., "*Communications Workers of America v. Beck*: A Victory for Nonunion Employees Already Under Attack," *Government Union Review*, Spring 1990, p. 11.

[34] "*Communications Workers of America v. Beck*, p. 1.

[35] Raymond Ladeunesse, cited, *WEA Challenger Network News* (Olympia, WA, February 1996), p. 4.

The unions have also been aggressive enforcing the dismissal of teachers who refuse to pay fees, however competent they may be, while continuing to accept as members other teachers, however incompetent, as long as they pay their money. This same practice may have reduced support from some teachers.

In 1985, in *League of North America v. NLRB*, the U.S. Supreme Court ruled that private-sector union members have the right to resign their union membership at any time,[36] a right still denied to many public teachers where "maintenance of membership," or similar restrictions within the contract or the union's bylaws, make resignation difficult. With maintenance of membership requirements, for example, a teacher may resign only within the last 30 or 60 days of a contract. However, some bargaining agreements last for five years.

d. Public Opinion

When NEA's longtime Executive Secretary William Carr retired in 1968, his "last considered opinion and advice" to the members proved to be a look into the future. While he was speaking most directly about the increasing willingness to call strikes, his comment has more general application. He said that the use of such tactics "for the economic advantage of teachers...will impair and ultimately destroy the confidence of the public in the teacher."[37]

A public opinion poll in the 1970s found that the NEA and the United Farm Workers were the most highly regarded major unions in the nation. Those interviewed favored them by almost a two to one margin.[38] However, recent polls show a decline in regard for the NEA, a trend also associated with growing interest in alternative teacher organizations.

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[36] PMLNA v. NLRB, 473, U.S. 95 (1985).

[37] "School Desegregation and Teacher Bargaining," p. 27.

[38] *Today's Education*, May 1978, p. 8.

Part 3

The American Federation of Teachers

A. Background and Membership

The AFT and the NEA differ little on educational issues. Their differences are largely procedural. For example, the NEA votes by secret ballot, adopts positions on a wide variety of noneducational issues, limits the term of office for officers at the national level, and has prescriptive quotas and goals for minority, ethnic, and other groups. The AFT differs from or objects to all of these practices.

The AFT is affiliated with the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO). It commonly uses a caucus system and open voting permits officers to serve indefinitely and, in the case of the late Al Shanker, permitted them to hold key offices simultaneously. Shanker was president of the United Federation of Teachers in New York City from 1964-1986 and president of the AFT from 1974 until his death in February 1997, thus serving as president of both from 1974-1986. NEA members objected to these policies and strongly opposed the possibility of Shanker heading a merged union.

Teacher unions like the AFT began to emerge 100 years ago when the Chicago Teachers Federation organized in 1897 and affiliated with the Chicago Federation of Labor, and, in 1900, when a San Antonio chapter became the first to affiliate with the AFL. Several local organizations banded together for a meeting in Chicago in April 1916 and soon became affiliated with the AFL.[39]

At one point, shortly after World War I, the membership of the AFT briefly exceeded that of the NEA.[40] However, fewer than 20 percent of the first AFT locals still existed in 1927.[41] In the 1930s, 1940s and 1950s both organizations experienced some growth, but the representative election in New York City in 1961 galvanized both groups into action and rapid expansion. The NEA tripled in size from 1964 to 1970; the AFT proportionally did even better, soaring from 60,000 in 1961 to 300,000 in 1970.[42] The AFT has tripled again since then, to nearly 900,000 members,[43] continuing its relative gain on the NEA but also increasing the gap in absolute membership numbers between the two organizations.

Other than structure and numbers, these two major teacher unions have a number of similarities. Both overwhelmingly support Democratic political activities. For example, at the Democratic national conventions,

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[39] *The NEA and AFT, Teacher Unions in Power and Politics*, p. 23.

[40] *The NEA and AFT, Teacher Unions in Power and Politics*, p. 23.

[41] *The NEA and AFT, Teacher Unions in Power and Politics*, p. 23.

[42] *The NEA and AFT, Teacher Unions in Power and Politics*, p. 12.

[43] Haar, during the education reform panel presentation in Washington, D.C., December 6, 1996.

where NEA members have been the largest single block since 1980, the NEA had 363 delegates in 1996, and the AFT had another 117. Collectively, more than 10 percent of the delegates were teachers.[44]

At one time, both the NEA and the AFT believed that teachers should not have the right to strike.[45] Today, both interpret very broadly what is negotiable, including matters that, directly or indirectly, affect virtually everything schools do.[46]

The AFT, concentrated in urban centers, sometimes adopted tactics that upset those who perceived themselves as public-oriented "professionals." At times, "A.F.T. strikes have been accompanied by harassment, intimidation, and even violence."[47]

When schoolchildren start paying union dues, that's when I'll start representing the interests of schoolchildren. *Albert Shanker, former president of the AFT.*

B. Sources of Member Dissent

1. Collective Bargaining

In 1996, former AFT President Albert Shanker said, "It's very clear to us that we're about to lose public education," adding the observation that "collective bargaining has been a good mechanism... But now we must ask whether collective bargaining will get us where we want to go."[48]

On the matter of collective bargaining, education analyst Myron Lieberman estimated that the process itself costs about $2 billion annually, which "includes both teacher and school board costs, as well as the costs to our judicial system and of administrative agencies, such as the state employment relations boards."[49]

Yet Myron Lieberman, a former long-time union activist, believes "any effort to change NEA/AFT pro-bargaining policies will meet with overwhelming and probably insuperable resistance from the union bureaucracy" because many of these policies "are dictated by union, not educational needs,"[50] nor those of their teacher members. Illustrative of this attitude, Shanker also stated, in a remark included in the August 1985 Congressional Record, that "when schoolchildren start paying union dues, that's when I'll start representing the interests of schoolchildren."[51]

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[44] Warren P. Strobel and Brian Blomquist, "'Angry' teachers target Dole," *The Washington Times*, August 29, 1996.

[45] Myron Lieberman, "Alternatives to Teacher Unions, *Government Union Review*, Winter 1989, p. 18.

[46] Pat E. Crisci, "Collective Bargaining and Evaluation: A Mismarriage," *Government Union Review*, Winter 1984, p. 83.

[47] Robert J. Braun, *Teachers and Power, The Story of The American Federation of Teachers* (N.Y.: Simon & Schuster, 1972), p. 246.

[48] David Hill, "The Education of Al Shanker," *TEACHER Magazine*, February 1996, p. 28.

[49] "Alternatives to Teacher Unions," p. 20.

[50] "Alternatives to Teacher Unions," p. 16.

[51] Walter Williams, "Rip-offs in the schools?," *The Washington Times*, Sept. 5, 1992.

As Lieberman has noted, sometimes this tension is unavoidable. When a district has to reduce the number of teaching positions, for example, the usual union position is for it to be done by seniority. Some newer teachers have begun to question why they should join the union and pay dues if the union will usually decide they must be the first to go, regardless of teaching ability or any other factor.

Lieberman also cites the example of math and science teachers, who are often in short supply. Many districts would pay higher salaries to attract and keep these teachers—a frequent argument of unions themselves when it comes to negotiating salary schedules—but are prevented from doing so because of union opposition to a variation from the single-salary schedule. To pay union dues, or even an agency shop "fair share," is contrary to the direct interest of these teachers, who could often do much better on their own.[52] These concerns lie behind some teacher initiatives to seek alternative organizations to represent them.

While there have been few other defectors from the AFT, there are signs that the AFT does face some dissension in its own ranks over the lack of concern and activity on educational issues and on its resistance to reform, especially to reforms such as the introduction of charter schools.

It's very clear to us that we're about to lose public education.
Albert Shanker, former president of the AFT

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2. Blocking Reform

In a study of the New York City school system, David Rogers concluded, "It is unfortunate but true that the union has moved from being a potentially reformist force to a largely protectionist one."[53]

Former AFT President Albert Shanker acknowledged a need for school reforms. He noted, for example, that "There is absolutely no question that American education as it exists today will not be tolerated by the American people, by the business community, by our policy leaders for more than another few years."[54] Despite this recognition, the AFT, like the NEA, has been perceived as an obstacle to reform by some teachers, spurring their search for alternative teacher associations. By 1978, growing numbers of members, overwhelmingly public school teachers, were opposing tuition tax credits, vouchers, or practically any other form of aid to nonpublic, especially religious, schools or students. Dues paid by members of the Association of Catholic Teachers (ACT), affiliated with the AFT, were being used to battle against these policies. In early 1978, ACT, the first to affiliate with the AFT, was the first to sever that relationship. Others followed, and a National Association of Catholic School Teachers (NACST) was formed.[55]

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[52] Myron Lieberman, "Teacher Unions: Is the End Near?" Briefings, (Sacramento: CA: The Claremont Institute, paper 1994-37, December 15, 1994), p. 9.

[53] Rogers, *110 Livingston Street* (N.Y.: Random House, 1968), pp 198–199.

[54] Linda Morrison, "Why Conventional Education Reform Fails: The Case for Market-Based Restructuring," Harrisburg, PA: The Commonwealth Foundation, March 1991, p. 2.

[55] Correspondence from NACST President Rita C. Schwartz, January 27, 1997.

Part 4

National Independent Education Organizations

The perceived shortcomings of the NEA and AFT have contributed to the rise of some alternative education organizations. These alternative organizations range from national professional associations to those that serve specific states or specific teachers (such as teachers in Christian or Catholic schools). Their purposes vary but include goals of providing teachers with professional services and benefits (such as insurance, for example) to more political goals of advancing school reform.

The Independent Education Associations (IEAs) represent an estimated 300,000 members, and that may be conservative, since three states—Texas, Georgia and Missouri—total 160,000 members. Probably at least 500,000 public school teachers belong either to IEAs or belong to no state or national group at all.

There is a further membership potential among the estimated 355,000 private school teachers in the nation, some of whom are organized in their own groups.[56] This brings the total potential membership to close to 900,000. And, while the IEAs may not be interested in reaching beyond the professional ranks, like the two giants do, there are as many as 1,000,000 support personnel in the public schools who do not have representation.[57]

To understand the role these organizations play and their potential as alternatives to the NEA and the AFT, we offer a brief review of their membership size, mission, and activities.

Most independent education associations have one thing in common—they emerged in the 1970s or later, largely in response to the requirement that all teachers who joined the local NEA affiliate would thereafter be required to join their state association and the NEA as well.

Most teachers join their union for the same reason that most other workers join theirs— the persuasion of their colleagues at the local level to "join the team," to be one of the group. While most new teachers are not necessarily antagonistic to the state and national associations, they generally are not attracted to them either. Prior to unified membership, most teachers belonged to their local association, a smaller percentage belonged to their state associations, and fewer still belonged to the NEA.

While NEA membership was growing rapidly in the 1960s, as was the AFT's, it was still far short of the combined totals of the locals, although the exact figures are unknown since each kept its own records, and there was no overall tabulation of the membership in the thousands of local associations.

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[56] *The NEA and AFT, Teacher Unions in Power and Politics*, p. 146.

[57] "Teacher Union Revenues and Political Action," p. 21.

A. The National Association of Professional Educators

The first of the national alternatives to the NEA and AFT was the National Association of Professional Educators (NAPE), organized in 1972 prior to mandatory unified membership, but after many states had already established it voluntarily. The trend towards unionism and the adoption of partisan political positions by the NEA played a role in fostering the establishment of NAPE.

A generation later the same motivations still form the basis of NAPE membership. As NAPE Executive Secretary Philip Strittmatter has written, "We were organized in 1972 when it became apparent that the NEA had decided to become another teacher union. We do not criticize teachers for joining the unions if they want to do that. We just want to be free to represent those educators who prefer a professional organization that does not get involved with radical social political issues not related to the education of children."[58]

1. Background

The immediate impetus for organizing what became NAPE was a teacher strike in Los Angeles in 1970. NAPE's 1992 report still reiterated the dismay this strike caused for many teachers in the district. The 1992 report stated that they "saw the organization to which they belonged suddenly change from a professional organization to a Laborer's union. They saw the welfare of children abandoned...They saw some of their colleagues transformed into characters they could scarcely recognize—from honorable professionals to a howling mob."[59]

A group of local educators formed the Professional Educators of Los Angeles and publicly announced that their platform included opposition to teacher strikes. Led by Richard Mason, the group expanded membership in California and then to the national level, with NAPE becoming chartered in Washington, D.C. Mason was the first president, serving from 1972 to 1978. Strittmatter, the current Executive Secretary, was president from 1978 to 1984. The current president, William Crockett, was elected in 1994 and was a Texas school teacher for 33 years.

2. Membership, Organization Characteristics, and Benefits

NAPE's 1992 report claims that within 18 months of inception they had local chapters in Arizona, California, Florida, Hawaii, Indiana and Texas and held their first meeting in Denver.

The NAPE's basic principles, in addition to opposing strikes, are:

- Final decision-making authority must remain with all the people through their duly elected representatives.
- Students must have the right to an uninterrupted education.
- Educators must have free access to their employer and never be required to pay fees to any organization as a condition of employment.

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[58] Personal correspondence from NAPE Executive Secretary Philip Strittmatter, January 21, 1997.

[59] Personal correspondence from Mr. Strittmatter, January 21, 1997. As one who was present in Los Angeles for a week of involvement during that strike I do not recall any "howling mobs," but it was and is the perception of NAPE members.

In line with these principles, NAPE is more willing than most educational groups, even some of the other independent associations, to accept whatever changes the public may wish to support, saying:

> *Our policies relate strictly to educational issues and demonstrate our commitment to professionalism and quality education. We do not take sides on issues which the public has a right to decide about their schools...If they want to experiment with different school structures and are willing to pay for the experiments, we feel they have the right to do so.*

In a separate statement on restructuring, they add, "We have not opposed the current ideas being endorsed by governors and legislatures such as those which would offer parental choice of schools or vouchers or local school responsibility. We cannot endorse those ideas as panaceas for education, nor can we oppose them....We believe that the citizens own the schools, not the employees, and the citizens have the right to decide the structure of these schools. We have been urging them to proceed slowly and with adequate preparation."[60]

In their journal last year they restated their positions on many issues, including support for a National Right to Work Act or, at least, the maintenance of the clause in present federal labor law that permits states to forbid compulsory union dues, as 21 states have done. In 1975, they adopted a policy favoring neighborhood schools and rejecting "busing children for long distances for any reason." They objected to a federal provision that 96 percent of bilingual funds be spent for instruction in languages other than English, supported the deletion of that mandate, and believe such decisions should be made at the local level. They also continue to refrain from involvement in politics as an organization but encourage their members to vote and, if they do personally assist a candidate, that they identify themselves as a NAPE member.[61]

These policies are unusual, perhaps unique, for an educational group.

NAPE, however, is not well known and seems to have hit its peak many years ago. A Hollywood Palladium meeting 25 years ago had a "capacity crowd." It's doubtful if that could occur today. No membership figures are included in the information supplied by them, though the executive secretary claimed that they "represented" 90,000 members through their cooperation with other organizations.[62] But these organizations were not named, and those who are members of other groups probably look more directly to those immediate groups for representation. An unofficial estimate is that their actual paying membership may be around 2,000.

Like other independent groups, both national and state, they have no office of their own in the Washington D.C. area, nor do they have a regularly staffed office. NAPE has for years retained a lobbyist in Washington, Roger Zion, a former member of Congress from Indiana.[63] Their executive secretary, current president, and at least several of the other ten officers and directors, while having had lengthy careers in the public schools, are retirees.[64] The other alternative associations, on the other hand, are predominantly, if not exclusively, composed of active teachers. While retirees may have more time and flexible use of it, they may not have the appeal to active teachers that current colleagues would have, and they are at a disadvantage in terms of regular contact with teachers within schools and districts to get their message across.

There is some possibility that NAPE might join forces with its younger and more-aggressive competitor, the Association of American Educators, the other national group seeking to attract individual educators as members.

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[60] The preceding quotes are all drawn from material in the January 21, 1997 correspondence.

[61] *The National Professional Educator*, Issue No. 4, 1996.

[62] Telephone conversation with Executive Secretary Strittmatter, March 21, 1997.

[63] 1992 report, plus March 21, 1997 telephone conversation update.

[64] *The National Professional Educator Newsletter*, February 1996, p. 3.

B. The Association of American Educators

1. Background

The Association of American Educators (AAE) is the young upstart among national teacher membership organizations, incorporated in July 1994 by Gary Beckner, who serves as the executive director, and says he "personally provided start-up capital and the first two years operating expenses until dues flow began to cover costs."[65]

Beckner has been attacked because of his background in the insurance field. He has a B.S. in marketing from Florida State University, began a career in business, and has been a part owner of insurance companies. But he also is a lifetime credentialed instructor with the community colleges in California, has taught courses in business ethics, conducted seminars, and is the author of a college textbook. His advisory board includes such classroom teachers as Guy Rice Doud, Thomas A. Fleming and Tracey Bailey, National Teachers of the Year in 1987, 1992, and 1993, respectively.[66]

2. Membership, Organization Characteristics, and Benefits

About 10 percent of AAE's membership is in Oklahoma (with 618); California membership ranks second (with 460 members). Other states with significant memberships are Nebraska (428) and Tennessee (401). Small-member states include Rhode Island with two members, and Vermont and Connecticut with four. There are also eight foreign members.

AAE's membership dues were $99 per year in 1997, which included a $1 million professional liability policy such as many other teacher groups have. They also have a fee for students, retired educators, and associate members, set at $25 in 1997 including insurance.

While membership growth has been largely from teacher-to-teacher contact, "a small test mailer," and press coverage, AAE gained 2,000 members in its first school year, 1994-95. Membership doubled to nearly 4,000 in 1995-96 and grew to 6,200 by December 31, 1996. Beckner says they believe they are "the fastest-growing national professional educators group in America." Beckner's claim may be accurate on a percentage basis. However, on an absolute basis its growth is a fraction that of the NEA at 44,000 per year. This figure is seven times AAE's total and appears to be greater than the current membership growth of all of the individual independent associations combined, so these independent groups still face an uphill battle in both membership and structure before they have a national presence.

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[65] Personal correspondence from Mr. Beckner, January 16, 1997.

[66] Others include Patricia Ann Baltz, California's Teacher of the Year and Disney Outstanding Teacher, both in 1993; Gene Bedley, 1986 PTA National Educator of the Year and 1994 Milken Foundation National Educator; Dr. Barbara Christmas, the Executive Vice President of the Professional Association of Georgia Educators (PAGE); Polly Broussard, former Executive Director of the Associated Professional Educators of Louisiana (APEL); Dr. Lewis Hodge, Professor of Education, University of Tennessee; Dr. William Kilpatrick, Professor of Education, Boston College; Dr. Kevin Ryan, Director, Center for the Advancement of Ethics and Character; and Eric Buehrer, President, Gateways to Better Education.[66] That's a lineup perhaps unmatched by any other educational group, particularly one attempting to be broad-based in membership and national in scope.

AAE has formally affiliated with a number of state groups in Oklahoma, Pennsylvania, and Texas, and, by 1997, the organization had met with Kentucky and Tennessee, and had discussions underway with Iowa, Florida and Louisiana.[67] By mid-1997, it was in the process of incorporating a state affiliate in Kansas and expected to have another in Colorado by summer 1997.

AAE's literature mentions NAPE and the Christian Educators Association International (CEAI), the respective memberships of which, Beckner says, have never exceeded 5,000. By 1997 AAE had invited each of them to enter into merger talks, for which they expressed an interest. Other merger possibilities include the National Association of Catholic School Teachers (NACST).[68]

Beckner alerts teachers about independent state organizations, a practice that has resulted in his actually losing members in some states, such as Georgia, Iowa, and Texas, although they could ultimately be recouped, either individually or on a much larger scale, if major independents in these states should affiliate with AAE.

Some of these mergers are unlikely, at least in the near future. Beckner says, "Many teachers who contact us are aware of some of the independent groups...but express dissatisfaction that these groups sometimes don't seem much different than the NEA—especially regarding reform issues such as school choice, tenure, standards, or competency testing. They also express concern that these organizations shy away from taking stands on controversial issues such as multiculturalism, Goals 2000 funding, OBE [outcome-based education], etc."[69]

AAE has not formally endorsed or opposed these policies. A majority of Beckner's members apparently favor many school reforms. For example, a 1996 poll of his membership received 2,066 responses from all 50 states, a number that would have approached perhaps 50 percent of his membership at the time, a high response rate. Some of the findings in regard to NEA positions were:

- 60 percent disagreed with NEA's opposition to using standardized testing to compare one school district to another; 29 percent agreed; and 11 percent were undecided.
- 71 percent disagreed with the NEA that private (for profit) school management programs are, in NEA's word, "deleterious" programs; 12 percent agreed; and 17 percent were undecided.
- 74 percent disagreed with NEA's opposition to teacher competency testing as a condition for employment; 22 percent agreed; and only 4 percent were undecided.
- 76 percent of members disagreed with NEA's opposition to parental choice that allow tax money to follow a student to a school of their choice; 14 percent agree; 10 percent are undecided.[70]

An AAE promotional piece, "A Very Special Invitation for Professional Educators," says: *Our stated purpose is to encourage and empower teachers who embrace similar views on education in America—who subscribe to the idea that education should aim to improve a young person's character as well as his or her intellect."* (Italics in the original) Further, "we want to be clear that we are not trying to 'bust up the union.' We believe in the right of 'collective' bargaining. However, we also believe that a student's education should not be hindered by

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[67] Telephone conversation with Gary Beckner, March 24, 1997.

[68] Telephone conversation with Gary Beckner, March 21, 1997.

[69] January 16, 1997 correspondence.

[70] *Newsletter of The Association of American Educators*, February 1996. (This was the subtitle of the publication. For some time its official title was *The American Educator*, AAE not realizing that this is the name of an AFT publication. AAE has recently run issues with a blank masthead, asking members to suggest a title for future use.)

employee/employer disputes. Therefore, we cannot support teacher strikes as a means of resolving disputes."[71] Opposition to strikes is a common, almost universal, characteristic of IEAs.

The association also noted that, "The cost of providing services through an association, which contracts out for most services, is far less than through unions, which maintain a large paid staff to service membership."[72] The NEA, AFT, and their affiliates oppose school districts contracting out for services. School districts do this regularly for such things as transportation and cafeterias, and even for some professional services. Most school boards contract for legal counsel. Both the NEA and AFT contract out some services. By moving in this direction early and openly, AAE may save money and alleviate the tendency to grow into another large and expensive bureaucracy.

In response to the controversial political activities of the two major unions, especially the NEA, AAE states that it neither makes campaign contributions nor uses dues for political lobbying.

AAE's goal is to double its membership each year. At the same time, Beckner has said he would like to have 200,000 members by the year 2000, growing to about one-tenth the size of the NEA. Even at 100,000 members, however, AAE would be a visible force.

Despite its recent growth, AAE faces challenges. Percentage growths are much easier on a small base than a large one, and it is uncertain whether AAE can keep up the pace. The present growth, like that of independent state associations in general, is coming largely in right-to-work states, or at least in areas without a strong NEA or AFT presence. And AAE is still little known because it is headquartered in California, but Beckner says they plan to move to, or establish a national office in Washington, D.C. within two years.

At present, NAPE and AAE are the principal existing options for teachers looking for national alternatives to the NEA and AFT, but several other national entities deserve a brief look.

C. Other National Alternative Education Organizations

1. The Coalition of Independent Education Associations

The Coalition of Independent Education Associations (CIEA) is a close relative to NAPE and AAE as it seeks to represent teachers. Essentially, it is a cooperative of associations rather than having individual teacher memberships. Even as a coalition, it is loosely structured. It lacks an independently staffed office, operates on a very low budget, and has no presence at the national level. It faces internal questions such as whether each group should have one vote regardless of how many members it represents, and whether dues for member organizations should be at a flat rate or on a per capita basis.[73]

The CIEA's most recent meetings occurred in July 1996 in Arlington, VA and again in March 1997 in Nashville, TN.[74] CIEA lists seven independent state groups as members, including Arizona, Iowa, North Carolina, South Carolina, Tennessee, Texas, and West Virginia.[75] The Texas group (ATPE) reports that it is the largest teacher

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[71] January 16, 1997 correspondence.

[72] January 16, 1997 correspondence.

[73] Conversations with representatives at the July 26, 1966 meeting in Arlington, VA.

[74] I attended as an observer at the July 1996 event and as a speaker at the March event.

[75] CIEA ad, *TEACHER Magazine*, April, 1997, p. 16.

organization in the state, approaching 80,000 members and growing at the rate of about 5,000 a year. This is well ahead of the NEA state affiliate that, according to ATPE, claims to have 90,000 members, but has used this unchanged figure for several years. ATPE notes that the NEA affiliate actually reports about 60,000 members to NEA.[76]

In its *Guide*, CIEA says one of its purposes is "to develop and maintain high standards of professional ethics among all professional educators in public and private schools." In practice this is to a large degree similar to the NEA's objectives regarding all students, educators, and so on. CIEA's membership ranks show considerable opposition to tuition tax credits, vouchers, or other aid to nonpublic schools, which probably negates any chance of meaningful cooperation with educators in private schools.[77]

There is also opposition to forming a national group. At the July 1996 meeting, those present agreed to drop a reference to establishing an office in or near Washington, D.C., shielding NEA/AFT from the existence of a competing national group. "Especially in the South, many teachers are unwilling to join any national teacher organization as a result of their experiences with the NEA or AFT. This experience might have led to efforts to change these organizations or establish a new one; instead, it has often led to an antipathy toward support for any national organization."[78]

On the one hand, this reluctance to form a national group reflects members' desires for greater localism. On the other hand, this same reluctance may limit the role these alternative associations can play as a counterweight to the major unions.

CIEA wants to assist like-minded groups or individuals in creating an alternative to the NEA and AFT. However, they have no structure, funds, outreach, or visibility at a national level.

The remaining national groups serve special teacher populations, or are unusual in character. They present teachers with some additional options.

2. The Christian Educators Association International

The Christian Educators Association International (CEAI), not to be confused with CIEA, has the longest history of these national groups, with the purpose, in its words, of "Serving our Nation's youth through Christian teachers in public and private schools since 1953." Earlier known as the National Educators Fellowship, from 1953 until 1991 its membership ranged from 1,100 to 2,000. Growth to its present 6,500 occurred since 1991 when it began to provide professional liability insurance.

Despite its name, 95 percent of its members are public school educators. One member of its "Board of Reference" is Dr. Kevin Ryan, who is on the Advisory Board of the AAE.[79] The board is largely composed of individuals with religious affiliations and from higher education, with a few exceptions such as Beverly LaHaye of Concerned Women for America, and Robert Skolrood of the National Legal Foundation. Few teachers have direct involvement in its operation.

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[76] Conversation with ATPE Executive Director Doug Rogers, in Nashville, TN, March 1, 1997.

[77] "Alternatives to Teacher Unions," p. 22.

[78] "Alternatives to Teacher Unions," p. 25.

[79] Letter from CEAI Executive Director Forrest L. Turpen, January 17, 1997.

The organization is active, with professional publications, an annual convention, and local chapter, regional and special event sessions. Its flyer, "You Can...Organize a C.E.A.I. Chapter," says that at these meetings "members share creative ideas for becoming more Christ-like in the classroom," which, while consistent with their purpose, would necessitate conducting themselves in this manner rather than actually incorporating Christian theology in the instruction process, which would raise constitutional questions and other problems.

Its purposes preclude a broad-based membership, and it is not involved in collective bargaining, but it does provide fellowship for like-minded educators across the nation. Specific benefits include up to $2 million in liability insurance and a subscription to CEAI's monthly newsletter, *Teachers in Focus*, which offers news and teaching tips. Members also receive convention and seminar discounts and access to legislative information affecting teachers through press releases and other CEAI publications.

3. National Association of Catholic School Teachers

The National Association of Catholic School Teachers (NACST) bargains with the parochial schools in which its members work and, as its former AFT affiliation demonstrates, is willing to join with public school teachers in a common organization, given the condition that public teachers accept reciprocal support of NACST interests.

Catholic teacher groups began appearing in the mid-1960s, as the AFT and NEA were becoming stronger, and the NEA was in its transition to a union. Catholic teacher locals withdrew from the AFT in the late 1970s because of the AFT's opposition to aid to nonpublic schools or their students.

Initially, dues began at a very low $0.10 a month, or $1.20 a year. In 1979 they moved to $3 monthly, and are currently $60 a year, still modest compared to the public teacher giants. The original membership at the time of NACST's founding in 1978 was just under 200, but it now approaches 5,000, represented in about 20 groups, primarily in the Northeast, although there are units in Kentucky, Missouri, and Oregon. Much of its membership is in five Pennsylvania chapters, including Pittsburgh and Philadelphia, the latter being the national headquarters.

A problem unique to NACST members is that, since they teach in religious schools, they have no negotiation rights under general government laws. In the NACST president's words, they do "have over 100 years of Catholic social justice teachings," and they believe teachers have been fired for attempting to organize, but their only recourse is to appeal to Rome.

President Schwartz concludes by saying NACST is the only teacher union she knows of that is specifically designed for Catholic elementary and secondary lay teachers, but "with over 120,000 lay teachers across the country, we've only scratched the surface."[80]

They did get some national attention in October 1996 as the result of an attempt to start a union in St. Louis. There are about 25 locals, and nearly 150,000 teachers working in the more than 8,000 Catholic schools in the nation.[81] In the 1950s about 10 percent of the teachers were nonclergy; now 90 percent of teachers are non-clergy.

How the NACST grows, whether it can gain bargaining rights in many places and whether it can once again find common cause with a public teachers group remains to be seen.

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[80] Personal correspondence from NACST President Rita C. Schwartz, January 27, 1997.

[81] Jeff Archer, "Catholic Teachers Start Union in St. Louis," *Education Week*, October 9, 1996.

4. The Association of Educators in Private Practice

In some ways the most unique of the national teacher groups, the Association of Educators in Private Practice (AEPP) was founded in Milwaukee in 1990[82] with 16 members and no startup funds other than $35 per member dues. Its motivating force was Chris Yelich, a science teacher who is privately employed by working on specific contracts with those wishing to use her services. She questioned why teachers are the only professionals who think they must work for a public agency or be an employee. Nonetheless, she estimates that as few as 15 percent of teachers would be interested in thinking of themselves as "sole proprietors" of a small business, as she does.[83] Still, 15 percent would be nearly half a million teachers, a fairly large number. Yelich, AEPP's original president, now serves as the association's executive director.

By 1997 AEPP had 550 members,[84] including, as it has from the beginning, groups as well as individuals. Until 1996 it was known as the American Association of Educators in Private Practice (AAEPP) but at its annual conference that year, in Milwaukee, it dropped "American" from the title because it has attracted members from other nations. Even at its conference in Madison, Wisconsin in 1992 there was one attendee from Russia.

For the most part the private practitioners, individual or group, have not had major difficulties with teacher unions. One reason for their acceptance is that so many of them work primarily, or even exclusively with at-risk students for whom a school and its teachers are willing to try various op. ons. An exception, Alternative Public Schools Inc., of Nashville, TN, is managing an elementary school in Wilkinsburg, PA, near Pittsburgh and has been in a struggle with the teachers association from the start.

One of AEPP's members is Ombudsman Educational Services of Illinois, started in 1975 by Jim Boyle, an experienced public school teacher and administrator who decided that he could work more successfully with at-risk kids if he could contract with districts and do it free of the usual government regulations and constraints. Boyle continues to offer programs for at-risk students, achieving an 85 percent success rate and providing education at a lower cost than the districts would otherwise spend. Other AEPP members include the Sylvan and Hunterdon commercial educational companies, Encyclopedia Britannica, and, more recently, the Edison Project, which is participating in the growing charter school movement.

AEPP includes a diversity of views and approaches, and no option or educational idea is beyond the parameters of possible consideration. Specific member benefits include up to $2 million in liability insurance, a subscription to AEPP's newsletter, *Enterprising Educators*, and access to an 800 telephone number, with knowledgeable staff available to answer questions about legal, marketing, insurance, and other start-up concerns for private-practice teachers. AEPP also provides its members with unique opportunities in the growing education industry. Members receive discounts to AEPP's annual conference, EDVentures, which is a valuable resource for networking the $600 billion education industry. Members also receive free advertising in AEPP's annual *Index of Opportunities*, a guide to the private education industry, and members are also listed on AEPP's Internet web site.

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[82] Mike Dorsher, "School reform urged private educators practice alternatives," *Wisconsin State Journal*, August 14, 1993.

[83] Keith Henderson, "Free-Lance Teachers Sell Talents To Schools With Special Needs," *The Christian Science Monitor*, September 26, 1994.

[84] Correspondence from Chris Yelich, February 2, 1997.

5. Concerned Educators Against Forced Unionism

Not typical of these national groups is the Concerned Educators Against Forced Unionism (CEAFU). As CEAFU Coordinator Cathy Jones wrote, "we are not really an alternative teacher organization in the sense that we provide any benefits....Our sole charter is compulsory unionism, and....we take no public stands on anything but forced dues, and the spending of forced dues for political and non-educational gains."[85]

The organization deserves mention, however, because it represents teachers and is having some impact. Although disliked by the NEA and AFT, its goals are supported by some other groups. NAPE, for instance, opposes forced dues and had its own legal defense fund until others such as CEAFU, a Division of the National Right to Work Committee (NRWC), appeared.

The July 1996 one-day CIEA meeting was back-to-back with a one-day CEAFU meeting, in the same hotel, and many educators participated in both meetings.

The parent group, NRWC, claims to be a "coalition of 1.8 million Americans united by one belief: No one should be forced to pay union dues to get or keep a job." It has business people among its leadership, but it also includes Carol Applegate, a 20-year-teacher who was fired because she refused to pay dues to the NEA and only won her job back after a two-and-a-half year legal battle. A second is Franklin A. Severance, a proofreader who lost his job in 1972 because of refusal to join a union. Unlike Applegate, he lost his appeal. Another is Howard Brown, a retired railway clerk who, while employed, was a long-time member of the Brotherhood of Railway Clerks but objected to compulsory dues.[86]

CEAFU/NRWC say they are not anti-union per se but only against compulsory membership or dues. As the positions of NAPE and CIEA indicate, other teacher groups and individual teachers often share their perspective.

[85] Personal correspondence, January 2, 1997.

[86] All identified in the "coalition" brochure, 1993 edition.

Part 5

State Independent Education Associations

Although only a few state associations belong to CIEA and a few more to AAE, there are at least two dozen independent state associations, and more may be appearing. Some are quite small and will not be detailed here, although they are listed (see appendix A). Again, a feature common to almost all of these associations is that they were created, or became independent, during or since the 1970s in reaction to the NEA's unified membership requirement, its acceptance of teacher strikes, and/or the social policies it has been adopting.

A. Texas

1. Association of Texas Professional Educators.

By far the largest of the independents, in its own state and the nation, and much larger than most NEA or AFT state affiliates, is the Association of Texas Professional Educators (ATPE).[87] Founded in 1980 by "a handful of Texas educators who were concerned that the apparent direction of national education unions was not in the best interest of the schoolchildren of Texas," it attracted 18,000 members the first year and has been growing consistently since that time. An upward trend in membership began in 1991 increasing by about 5,000 members a year, and with nearly 80,000 members as of early 1997.

The "four pillars of ATPE's philosophy" include: (1) opposition to compulsory membership; (2) opposition to strikes, boycotts or other stoppages; (3) support for continued public control of public schools; and, (4) ATPE autonomy.

The first position is typical of new teacher organizations, but ATPE maintains this position even though it is now the dominant teacher association in Texas. It asserts that "fundamental to ATPE is the conviction that public education is better served if Texas remains a right-to-work state," while also maintaining that "collective bargaining and educators strikes, do not benefit educators, students or the public."

Its membership size and $95 dues—there are lower rates for categories such as students and retirees—allow ATPE to have a fully operational program, including a quarterly journal that has a strong emphasis on educational concerns. For example, both the Winter 1996 and Spring 1997 issues of *ATPE News* ran detailed

[87] Comments on ATPE are based upon information in a January 15, 1997 mailing from ATPE Executive Director Doug Rogers, conversations during attendance at the CIEA meetings in Arlington, VA, July 26, 1996 and in Nashville, March 1, 1997, and telephone conversations during this period of time.

reports on two charter schools in Texas. The editor has stated, "as much as ATPE is devoted to supporting public education and showing its many wonderful attributes, we are also committed to presenting our members with factual reporting and will not close our eyes to those aspects of education that are negative."

ATPE member benefits include up to $2 million in professional liability insurance and payment of attorney fees up to $5,000 per claim (up to $20,000 per year), a subscription to *ATPE News* and *Straight Talk*, designed to keep members fully informed about Texas education issues, and premium professional development through training sessions including topics such as: "How to Behave so that Your Kids Will Behave," and "Dyslexia: How Does it Feel." ATPE offers members a wide variety of other services, including: Group auto insurance, prescription drug discounts, credit card service—with ATPE MasterCard, long-distance service, and numerous discounts on products and services such as hotels, car rentals, and other recreation activities.

2. Texas Citizens' Academic Network

A second Texas group, the Texas Citizens' Academic Network (TxCAN), grew out of a June 20, 1995 education conference in Austin when some individuals wondered how they could affect education policy. Six months later, on January 8, 1996 the organization opened an Austin headquarters as a nonprofit 501(c) (3) corporation—which means it is prohibited from lobbying, except incidentally. Its first education forum was April 20, 1996. By 1997 it had affiliated with the Association of American Educators.

Listing itself as "a professional organization for educators" and as "a source of information and training for parents and concerned citizens," its membership is not limited to educators. Its 28-member board includes parents, school trustees, college professors, business leaders, community leaders and even state legislators, in addition to public school educators. This makes its potential membership large. Organization representatives say their members "share a conservative philosophy of education" and "encourage the best practices of educational conservatism as opposed to the theories and fads which have moved us away from explicit foundational skills."[88]

Regarding the controversial issue of vouchers for use at private or religious schools, TxCAN members have diverse views. As an organization, it neither promotes nor opposes vouchers.

Only a year old, TxCAN is still in the process of increasing awareness of is existence and attracting new members.

B. Georgia and Missouri

The other two most successful state IEAs are the Professional Association of Georgia Educators (PAGE) and the Missouri State Teachers Association (MSTA). Each is now its state's largest teacher association, at 41,000 and 37,000 members respectively; both are also continuing to grow. PAGE membership increased by almost 5,000 this past year.[89] Founded in 1975 by a group of 70 educators, PAGE believes in voluntary membership and opposes strikes or, in its phrasing, "militant or adversarial actions."

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[88] All the information regarding TxCAN is based on January 6, 1997 correspondence from its President Donna Muldrew, including the first issue of its newsletter, *TxCAN Courier*.

[89] Remarks made by PAGE Director of Public Relations Tim Callahan as part of his presentation at an Alexis de Tocqueville seminar in the Rayburn House Office Building in Washington, D.C., February 4, 1997. Other information is from printed material supplied by PAGE.

At first glance, MSTA would seem to be the exception to the rule as to its founding, since it is older than the NEA, established in 1856. Moreover, the organization was involved in the call for the 1857 meeting in Philadelphia that marked the NEA's beginning. It was an affiliate of the NEA from the beginning until 1972 when, like other groups, the unified membership requirement of the NEA convinced the MSTA it was time to part. The difference is that MSTA was an established group, already the dominant association in Missouri. While not all members went with MSTA, the group was already an ongoing successful operation.[90]

C. Additional States

Many of the other state IEAs are still relatively new and small. In Oregon and Wisconsin, both bargaining states, attempts to get new groups underway have been unsuccessful by 1997, and efforts in both states were at least temporarily inactive by mid-1997. As a result, neither of these two are included in the Appendix.

1. Arizona

The Arizona State Professional Educators was started in 1972 by a group of Scottsdale teachers with voluntary membership, right to work, and opposition to strikes as part of their basic platform. The membership is mainly classroom teachers, with 1500 members statewide, and the local in Mesa "having grown from six about a decade ago to 500 today."[91]

2. California

California demonstrates problems caused by exclusive representation laws, especially when school boards grant "maintenance of membership" powers to the local bargaining union. The Professional Educators Group (PEG) in California was formed after a 1970 strike and grew over the next few years to have thousands of members. The appearance of agency shop in 1974 reversed that trend and saw PEG go into a state of decline. While still in existence, its membership is described as "quite small compared to the population of teachers in California," its leaders are volunteers receiving no salary, and its president, Dianne Foster, remains a full-time teacher.[92]

Agency shop lawsuits in California may be in the process of widening options for teachers. Seven hundred teachers won such a suit in 1996, each receiving a refund of about $300. Several thousand more may be making the attempt in 1997, and additional thousands have decided to drop their union membership.[93]

3. Florida

Florida has two independent groups, the newest of which, the Professional Educators Network of Florida (PEN), began seeking members only in January 1996. By February 1997 it had 288 members, 93 percent of whom were classroom teachers. In 1997 it was in 27 of the state's 67 counties and in 192 schools. Modeled after, and assisted by PAGE, PEN plans to employ about 20 part-time regional coordinators to recruit membership and, as of February 1997, did not expect to affiliate with a national organization.

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[90] Telephone conversation with Kent King, MSTA Executive Secretary, who was also present at the March 1, 1997 CIEA meeting in Nashville.

[91] Correspondence from ASPE President David Smith, January 27, 1997.

[92] Letter from Dianne Foster, January 8, 1997.

[93] Membership recruitment letter, Center for the Study of Popular Culture, Los Angeles, December 5, 1996, p. 2.

One problem PEN has experienced, which is not unique, is the practice of the dominant union blocking their use of school mailboxes.[94] Some school boards accept this practice, because they regard it as a no-cost item. Aside from a legal question as to whether a private group can have exclusive use of teachers' school mailboxes, which are public property, the practice also gives the recognized union censorship powers and limits the rights of teachers to receive material in which they might be interested.

4. Iowa

The Professional Educators of Iowa (PEI) took part in the CEAFU and CIEA meetings in Washington in July 1996. Its president, Jim Hawkins, spoke to the House committee staff, as did PAGE's Barbara Christmas, Gary Beckner of AAE, and others, so legislators would know that there are alternative educational voices to be heard that do not in general hold many of the views of the major unions. Hawkins reported this information to his members in a newsletter that noted PEI has grown 300 percent in three years, but no total membership figures were given.[95]

5. Kentucky

The Kentucky Association of Professional Educators (KAPE) began with a county group that organized because of a strike some educators opposed. KAPE's articles of incorporation are dated February 1982, citing as a main purpose of providing members with liability insurance, which KAPE provides with much lower dues than NEA affiliation would require. At one point they reported 600 members, which subsequently declined to 85. However, they began growing again in the late 1990s and now have 225 members. Affiliated with NAPE, they have to contend with a strong KEA/NEA presence in the state, says Ruth Green, who serves "like an executive director."[96]

6. Mississippi

The Mississippi Professional Educators, Inc. (MPE) was organized in 1979 by classroom teacher Linda Anglin, who says their first "office" was a pool table in the president's home and the treasurer's dining room table. Beginning with eight members, they grew to 400 in the first year and now have 5,000, with their own headquarters building in Jackson, a full-time executive director and office manager, registered lobbyists, a quarterly magazine, an annual convention, a toll-free telephone number and other characteristics of a fully operational organization. Also affiliated with NAPE, MPE received an official commendation from the Mississippi legislature in 1992 "For Their Professionalism in Working With The Legislature And The Political Leaders Of Our State."[97]

7. North Carolina

The Professional Educators of North Carolina (PENC) say they are the fastest-growing professional association in the state. They expect to have over 10,000 members by the year 2000. They have annual conferences, a regular newsletter, and lobbyist representation among their activities.

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[94] Correspondence from Katherine DeMoisc, PEN president, February 1997.

[95] A New Choice for Iowa Educators, October 1996.

[96] Correspondence from Ruth Green, January 11, 1997.

[97] Correspondence from Linda Anglin, February 6, 1997.

Another significant state IEA is the Palmetto State Teachers Association (PSTA), organized in 1976. Its current membership is nearly 5,000, up 9 percent from last year. Its first president, Elizabeth Gressette, is now its executive director, and one of three full-time staff members. They have a number of autonomous local chapters but report no national affiliation, although they do belong to CIEA. CIEA's loose structure is here emphasized by a group which belongs but doesn't regard it as a national affiliation. PSTA does think they "need some type of organization to keep us in touch with other independent groups across the U.S."

8. West Virginia

Another state-level IEA includes the West Virginia Professional Educators (WVPE), which was chartered in 1980 and lists itself as "A strictly West Virginia Organization...Controlled by its grass-roots origins and not directed by nor responsible to any national organization." It is, however, affiliated with CIEA and was represented at the March 1, 1997 Nashville meeting.[98]

9. Pennsylvania

Pennsylvania's Keystone Teachers Association, established in 1993, is in a strongly unionized state with collective bargaining, agency shop, and maintenance of membership as negotiable items. It is very difficult for a challenger group to get well established. Moreover, the advantages of an exclusive bargaining agent are such that even NEA and AFT state affiliates are dominant in specific school districts. The one that loses the original bargaining election is rarely thereafter in a position to be a significant challenger, despite the resources it may have as a state unit.

[98] Information contained in printed material obtained at the Nashville CIEA meeting.

Part 6

Local Independent Education Associations

Local independent teacher groups, which Myron Lieberman refers to as Local Only Teacher Unions (LOTUs), have also emerged.[99]

Many LOTUs are found in Ohio and Indiana. The Akron Education Association in Ohio, for example, was unified with both the Ohio Education Association and the National Education Association in the early 1970s (the NEA required unified membership beginning in 1975), but voted to become independent in 1976. The organization functions successfully with dues of less than $200. It is a large local, with 2,000 members, and can afford two full-time officers and other advantages that accompany a sizable annual income. The much smaller Kent Education Association, with about 300 members, was also formerly a unified member of the OEA/NEA but became independent in 1981, has dues of $150, which have been constant for eight years, and has a sizable reserve legal defense fund. In Indiana, ten of the 200 locals are independent.[100]

Some are similar to the larger union to which they once belonged. The Akron Education Association, for example, has gone on strike in the past,[101] and has two dozen or so agency fee payers[102] in addition to its 2,000 full time members, so it accepts both of these tactics. One analyst indicated Akron was the only one he found that used agency fees. The others believe in voluntary membership. Kent, Ohio Education Association president Donna Hess says, "We get our members the old fashion way; we earn them."[103]

These locals tend to have dues in the $150 range, far less than their colleagues in adjoining affiliated locals. Nor do dues go up automatically every year. In some cases they have remained unchanged for ten years or more. Where services are needed they have found more effective ways to obtain them rather than having a large, highly paid state or national staff provide them. For example, the Kent EA rents computer services from Kent State University as needed, for a reported average cost of $200 a year.[104] This contrasts with NEA and state affiliate research specialists who may each be paid as much $100,000 a year, plus benefits.

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[99] Personal letter from Myron Lieberman, October 7, 1996.

[100] Probably the best brief summary of these local units is Milton Chappell, Esq., "Seeking a New Foundation: Legislative and Practical Alternatives to the Current Monopoly Bargaining Model That Will Enhance the Viability of Independent Teacher Groups," *Government Union Review*, Summer 1995, pp 1-59, upon which these comments are based.

[101] "Seeking a New Foundation," p. 46.

[102] "Seeking a New Foundation," p. 45.

[103] "Seeking a New Foundation," p. 47.

[104] Chappell, p. 47.

Akron EA President Bill Seigferth maintains that "a strong local has little need for the clout of the state and national union, and the clout of the state and national union can do little to help a weak local."[105]

Lieberman sees several possible constituencies for LOTUs, including, but not limited to, those who object to unions, or to affiliation with the AFL-CIO, or to an industrial-type union where cafeteria workers and other support staff are included in membership with the teachers; those who object to the social and/or political agendas of the NEA and AFT; and those who wish to save paying $500 or more in dues;[106] or, those who believe that such high dues are not necessary to have an effective organization.

Lieberman also notes that "non-union teacher organizations will not be a significant presence unless they embrace collective bargaining or unless the teacher bargaining laws are repealed or amended." He adds, "Local only teacher unions do not depend on such repeal or amendment, an enormously important strategic consideration."[107]

[105] "Seeking a New Foundation," p. 46.

[106] Myron Lieberman, *Local Only Teachers Unions, (LOTUs)*, Washington, D.C.: Education Policy Institute, September 26, 1996, p. 1.

[107] *Local Only Teacher Unions*, p. 2.

Part 7

The Outlook: Prospects and Problems for Alternative Associations

A development that will have significant impact on alternative teacher associations, is the possibility of a merger between the NEA and AFT. Speculation about a merger has surfaced ever since the two began to be major players in the early 1960s. The concept has received increasingly serious consideration, with intensive discussions between the two unions, a movement given further impetus because teachers in both unions believe they, and public education, are under attack, which persuades them that any objections to merger must be overcome.

In summer 1996 the two unions entered into an agreement scheduled to end May 31, 1998. They may have a merger agreement ready for approval by that time, to be implemented within a year or two thereafter.[108]

NEA President Bob Chase indicated in 1997 that the talks are making progress. They reportedly "are working on a governance structure different from the current tri-level of national, state and local associations." They have also agreed to formally cooperate to lobby against such matters as school vouchers and for child health care.[109]

At other levels local unions are not waiting for action from the top. The NEA and AFT local in Wichita, Kansas reportedly have merged and in Minnesota the state education association voted by almost a two to one margin to merge with the AFT state affiliate.[110]

Alternative education associations may make a difference at the local or state level, but what is the possibility they will be influential on a national scale? Potential exists, but they face significant barriers, both external, including state laws and the existing power of the NEA and AFT, and internal constraints, in their failure to effectively coordinate their activities. Their loose organizational structure is itself often a reaction to their experience with the NEA and their fear of creating a similar national organization. More than one alternative association exists in some states. While this may enhance the interests of individual teachers, it weakens the associations' overall effectiveness as a counterweight to the major unions.

The demand by some teachers for at least one other viable national organization that seeks to represent the professional interests of teachers is stalled by the distrust that such a new agency would too soon resemble the NEA. Some independent association leaders seem adamant in their opposition to establishing or belonging to a

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[108] *Local Only Teacher Unions*, p. 5.

[109] "NEA-AFT Merger Talks Update," *NEARO Outreach*, March 1997, p. 9 (NEARO is NEA's Retirement Organization, the group that represents retired staff members).

[110] "Merger Madness," *Report Card*, January/February 1997, p. 4.

national group. As long as that distrust exists, no changes in current labor laws or other tactics will bring a stronger national group into existence.

However, the success of other independent associations demonstrates that a new national association need not create a large, expensive staff. With 300,000 total members, even a $5 per capita assessment from each association would provide a minimum of $1.5 million for a national office. This is sufficiently low to maintain autonomy of individual associations but sufficiently high that the national office could coordinate efforts, keep the affiliate units, and through them individual educators, informed as to what is occurring nationally, hold national and regional meetings, become a known factor to the national media, and perform other tasks that are simply impossible from the local and state levels.

Unions are not governments—the employees are not required to abide by the decisions of a single organization.

A. Strategies for Change

1. Legal Strategies

Repeal of bargaining laws. Repeal of the present bargaining laws could foster the emergence of an alternative national association or coalition of independent associations, though repeal is unlikely in the near term.

Similarly unlikely is the European system of unions whereby "unions represent only those employees who affirmatively elect such representation in writing, given to both the labor organization and the employer...Accordingly, there can be more than one employee representative and collective bargaining agreement." Some nations require workers to belong to a union, though there may be many alternatives from which to select, while others permit workers to remain independent and negotiate for themselves.[111]

No "natural law" or "natural monopoly" necessitates exclusive union representation. Unions are not governments, and there is no coherent reason why a majority of employees must require all employees to abide by the decisions of a single organization. This issue relates to another issue, agency shop. Unions claim that since they must represent all workers, all workers should pay dues. But it is the unions who insist upon exclusive bargaining units. Once they obtain exclusive bargaining rights, often over the objection of a significant number of workers, they then say they should be paid dues for providing a sometimes unwanted service. In Pennsylvania a number of years ago some legislators suggested removing the requirement that unions represent all workers, but unions objected.

Even accepting exclusive bargaining and assuming the argument of agency shop, or "fair share" dues, such that workers would have to pay for the representation they receive, one might also argue that they should then be allowed to vote on proposed contracts, and in related elections, such as the election of the negotiating team, (which some unions permit), or for union officers themselves in cases where they decide who the negotiators will be. The fairness argument requires a symmetry of rights and responsibilities.

[111] "Seeking a New Foundation," p. 10.

Legislation strengthened unions. It will likely take legislation for significant options for teachers to appear. Amending existing laws has occurred in a number of bargaining states, with more such action being proposed. Consider these examples:

- The "reverse checkoff," whereby funds are withheld unless the worker specifically asks for its return, is prohibited by federal law and in many states.[112] Therefore, it might be possible to prohibit it in other states.
- In 1995, Michigan, which has historically had one of the strongest state education associations in the nation, banned both unions and corporations from collecting political contributions through automatic payroll deductions. The Michigan Education Association took the law to court, but it was upheld.[113]

Legislation strengthened unions. It will likely take legislation for significant options for teachers to appear.

- In the November 1996 elections, the approval of Proposition 208 in California henceforth limits political contributions by the California Teachers Association (CTA) and its affiliates from exceeding $25,000 in each two-year election cycle. In the previous two years the union had spent $4 million on political contributions, so the impact may be dramatic. This was followed, in January 1997, by an Indiana court decision which abolished the teacher union's use of "forced dues." Teachers may get back as much as $1 million from payments already made.[114]
- In Iowa any resident of a school district can sue if a union breaks a no-strike agreement.
- In California all first bargaining proposals are regarded as public documents, must be presented at a public board meeting, and negotiations cannot start until the public has had a chance to become familiar with them and comment at another public board meeting.
- Negotiations in Florida must be open to the public.
- Missouri school boards cannot enter into a contract other than with individual teachers, though it is not illegal to adopt proposals from teacher groups.
- In Ohio, local boards are now required to provide liability insurance for all employees.[115] It would be in their, and the public's, interest for all boards to do this voluntarily.

Membership Changes. Other legal strategies could expand teacher options. Among these are changes in membership requirements. These include:

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[112] Charlene K. Haar, "Teacher Union Revenues and Political Action," *Government Union Review*, Spring 1994, p. 17.

[113] "Exempt From Reform," Editorial, *The Wall Street Journal*, February 10, 1997.

[114] Mike Antonucci, "Is Tide Turning Against the NEA?", guest editorial, *Investor's Business Daily*, February 6, 1997, p. A30.

[115] Milton Chappel, Esq., "Seeking a New Foundation: Legislative and Practical Alternatives to the Current Monopoly Bargaining Model that Will Enhance the Viability of Independent Teacher Groups," *Government Union Review*, Summer 1995, p. 21, 23, 24 & 25, 49. (Chappell's article is a place to begin for those looking for a single source of ideas.) The *Review*, several issues of which are noted in this document is published by David Y. Denholm, The Public Service Research Foundation, 527 Maple Avenue East, Vienna, VA, 22180; (703) 242-3575; FAX: (703) 242-3579.

- The ruling in *Pattern Makers League of North America v. NLRB*, 473, U.S. 95 (1985) that union members in the private sector have the right to resign their membership at any time, if extended to members of all public unions as well, could improve teacher options.

- Some states permit so-called "maintenance of membership" clauses to be negotiated, in which teachers cannot resign from the union until the end of a contract, some of which run five years. School boards agree to agency shop, and even limit access by teacher groups to teachers' school mail boxes to unions that won bargaining rights in the district. All of these are advantages for the union and not individual teachers. Boards could refuse to negotiate them, or states could prohibit them.

- Many states do not permit agency shop or compulsory service fees, yet that hasn't prevented teacher organizations in those states from attracting teacher members or functioning effectively. Such prohibitions against these restrictive rules would expand teacher options.

- Current examples of such laws already exist. An Indiana law exempts Indianapolis from the state bargaining law, with negotiations now limited to salary, wages, and wage-related fringe benefits. It permits a school to be placed in academic receivership, the staff to be removed, the school closed, or a private firm to operate it on contract,[116] again expanding options and enhancing accountability.

- An initiative proposed for the California primary election in June 1998 would allow public-sector union members to resign at any time, prohibit agency shop, and prohibit the state or any of its subdivisions from automatically deducting union dues from payrolls.[117]

2. Organizational and Procedural Strategies

In addition to legal strategies, some organizational and procedural strategies might foster more effective independent teacher associations. The successful experiences of many Local Only Teacher Unions in Indiana and Ohio at the district level, and of the Missouri State Teachers Association at the state level, suggest that independent education associations, or those attempting to establish other alternative routes for teachers, should consider attracting teachers in groups, in already established units.

Many unions have pressed for easier procedures for certification elections. One variation of this proposal is to require every large nonunion company, which could include school districts, to have an NLRB-supervised election every three years, whether workers ask for it or not. Coupling this with a requirement that every large unionized company have a *decertification* election on the same cycle would substantially enhance employer and union accountability. One analyst comments, "It is hard to imagine a more favorable condition for American workers than a nation full of employers constantly worried the union will be voted in, and a nation full of union officials constantly worried it will be voted out."[118]

Nor would the supervising authority need to be the NLRB; state boards could be authorized to supervise elections, especially for school districts which are subdivisions of state government. If three years is too often, or too expensive, other cycles—such as five years—would be considered.

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[116] Indiana Delegate Joyce Macke, *Proceedings of the National Education Association 1995 Representative Assembly*, Minneapolis, MN, July 3-6, 1995, Washington, D.C.: NEA, 1996, p. 250.

[117] California Education Reform Alliance fax, March 4, 1997.

[118] Richard Vigilante, *Strike*, (NY: Simon & Schuster, 1994), p. 292.

Another procedural change could be "guaranteed union democracy," an idea proposed for other unions by author Richard Vigilante. Union leaders often attempt a smokescreen by charging reformers with being anti-union, or engaging in "union bashing." But unions exist to serve all their members, and services should not be forced upon those who do not want them.

These are not anti-union proposals. Individuals have a right to create unions, and workers have a right to join them. But union officers and staff who engage in personal attacks upon those legitimately seeking to protect the rights of all workers, from unions as well as employers, undermine the rights of individual workers. All unions, including teacher unions, that are conscientiously attempting to protect the interests of each of their members, have much to gain from union democracy.

Part 8

Conclusion

At present, many teachers look upon their union as many citizens look upon the government: something that is remote or beyond their control. Christine E. Murray, a New York state college professor preparing a book on teachers' roles in several districts, has said that "teachers' roles as union members are quite peripheral. Except for those few who are union activists, the union does not figure largely in teachers' thinking about their work."[119]

With the changes and challenges facing the public schools today that indifference may prove harmful to teachers. Unions, contracts, strikes and any or all such devices, whatever other value they may have, are not going to solve the education problems of this nation, nor educate children.

To paraphrase a comment by Saul D. Alinsky: The hope of educating our children does not in the last analysis rest in teacher unions. It rests in organized, informed, participating teachers and the American people.

Success cannot be mandated from the top down, whether by school boards, teacher unions, or other organized forces, as well as the state or federal governments. It will occur when teachers have enough alternatives so that those of like mind can jointly present what they believe to be a viable program, and students, parents, taxpayers, and the general public are able to support those programs that have value for them.

By the nature of institutions, new ideas are stalled for years or even altogether suppressed if top-down, one-size-fits-all approaches are required. Education policies must permit greater freedom for schools, and must allow individual teachers to try new ideas. Like the NEA and AFT, independent education associations are not all enamored of reforms, or equally willing to permit them to be tried. But an outstanding education system will be elusive, as long as education policies erect monopoly schools, monopoly unions, and top-down universal requirements in the classroom.

[119] Ann Bradley, "Education's Dark Continent," *Education Week*, December 4, 1996, pp 25–27.

Part 9

About the Author

David Kirkpatrick is a Distinguished Fellow at the Blum Center at Marquette University, and a member of the National Policy Forum's Council on Improving Schools and Education (Washington, D.C.), and a member of the National Advisory Board, Education Excellence Coalition (Seattle, WA). He is a featured writer for several education publications and recently authored *School Choice: The Idea That Will Not Die*.

He is a life member of the National Education Association (NEA) and the Pennsylvania State Education Association (PSEA). His experience within the NEA/PSEA includes serving as president of the PSEA for two years and as president of the Easton Area Education Association for four years.

Part 10

Appendix—Organizations

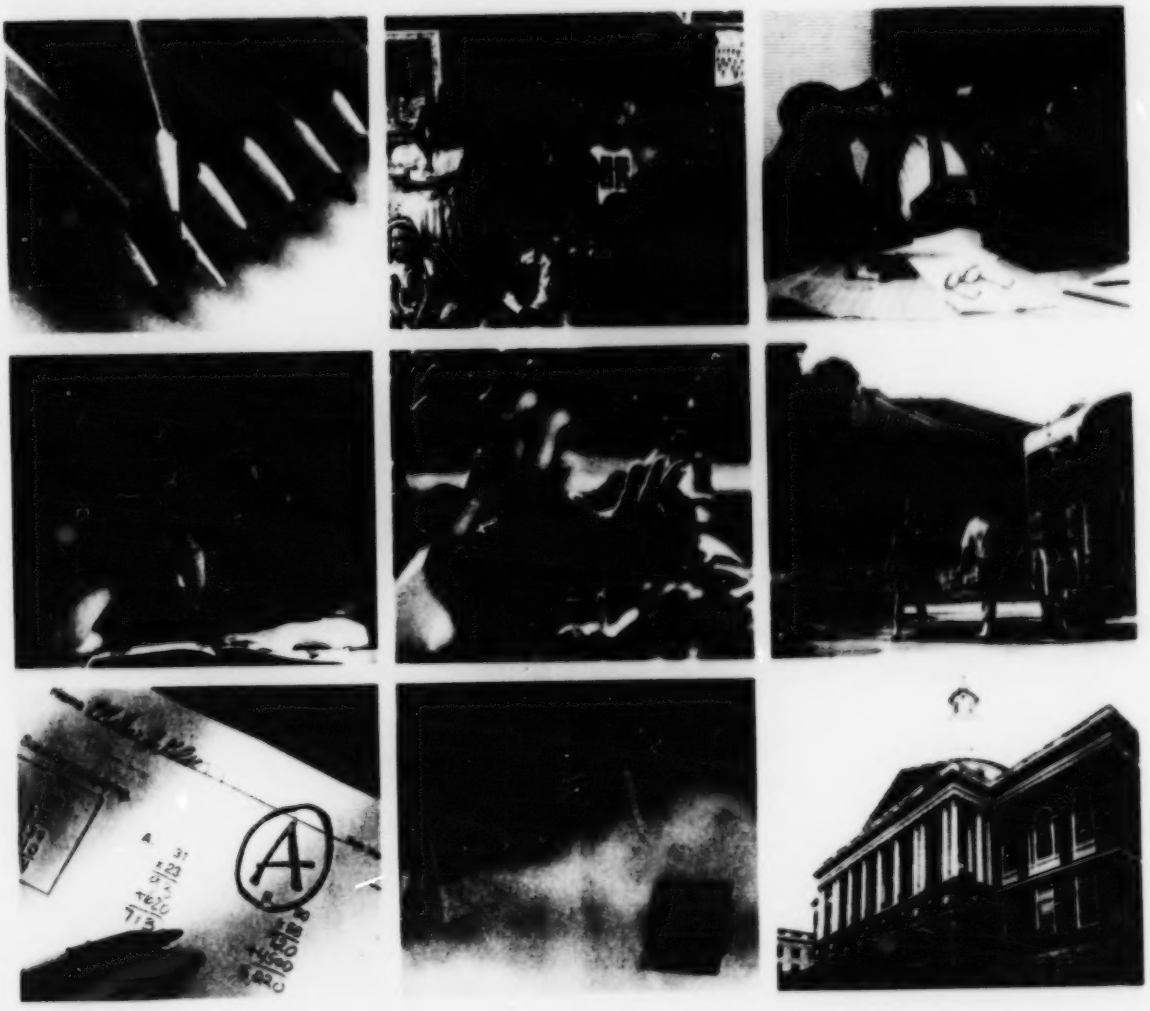
National Teacher Organizations

AAE	Association of American Educators	26012 Marguerite Pkwy., # 333 Mission Viejo, CA 92692	Gary Beckner, Exec. Dir. (800) 704-7799; (714) 582-0120 (fax)
AEPP	The Association of Educators in Private Practice	N7425 Switzke Road Watertown, WI 53094	Chris Yelich, Exec. Dir. (& founder) (800) 252-3280; (414) 699-8280 (fax)
AFT	American Federation of Teachers	555 New Jersey Ave. NW Washington, DC 20001	(800) 238-1133
CEAFU	Concerned Educators Against Forced Unionism	8001 Braddock Road Springfield, VA 22160	Cathy Jones, Coordinator (703) 321-8519; (703) 321-7342 (fax)
CIEA	Coalition of Independent Education Associations	Box 71925 Jefferson City, TN 37760	B.F. Bull, President (423) 471-3319 (office); (423) 475-4815
NACST	National Association of Catholic School Teachers	1700 Sansom St., Suite 903 Philadelphia, PA 19103	Rita C. Schwartz, President (215) 665-0993; (215) 568-8270 (fax)
NAPE	The National Association of Professional Educators	13354 Cooperstone Sun City W, AZ 85375-4819	Philip Strittmatter, Exec. Secretary (602) 584-4920
NEA	National Education Association	1201 16th St. NW Washington, DC 20036-3290	Bob Chase, President (202) 833-4000 Chase ext. 314

State Teacher Organizations

AZ	Arizona State Professional Educators (ASPE), & Mesa Independent Professional Educators	1412 E. Broadway Mesa, AZ 85204	David Smith, President (602) 834-5182; (602) 834-7403 (fax)
CA	Professional Educators Group of California (PEG)	Box 375 Livermore, CA 94550	Dianne Foster, President (510) 443-7365; (510) 606-5865 (fax)
FL	Florida Professional Educators (FPE)	24 S. Wind Circle St. Augustine, FL 32084	Ruth Collette, President (903) 471-2893
FL	Professional Educators Network of Florida (PEN)	2017 Delta Blvd. Tallahassee, FL 32303	Katherine DeMoise, President (904) 386-3131; (904) 386-1807 (fax)
GA	Professional Association of Georgia Educators (PAGE)	3700 B Market St. Clarkston, GA 30021	Dr. Barbara Christmas, Exec., VP. (404) 292-7243; (404) 292-8640 (fax)
IA	Professional Educators of Iowa (PEI)	Box 564 Oskaloosa, IA 52577	Jim Hawkins, President (800) 734-0590, (515) 672-1136 (515) 981-5920 (fax)

ID	Independent Educators of Idaho	Route 7, Box 90 Idaho Falls, ID 83401	Diana Robertson, President (208) 522-7311
IN	Indiana Professional Educators (IPE)	6919 E. 120th St., Suite B4 Indianapolis, IN 46219	Mrs. Jane Ping, President (317) 356-2878
KY	Kentucky Association of Professional Educators (KAPE)	Box 24506 Lexington, KY 40524-4566	Ruth Green, Executive Director
LA	Associated Professional Educators of Louisiana (APEL)	7912 Summa Ave. Baton Rouge, LA 70898	Nan Kennison, President (800) 364-2735; (504) 769-6108 (fax)
MS	Mississippi Professional Educators (MPE)	455 N. Lamar St., #427, Box 1531 Jackson, MS 39205	Jerome W. Smith, Exec. Director (601) 355-5517
MO	Missouri State Teachers Association (MSTA)	407 S. 6th St. Columbus, MO 65201	Kent King, Executive Secretary (314) 442-3127; (314) 443-5079 (fax)
NC	Professional Educators of North Carolina (PENC)	5029 Falls of Neuse Rd, Suite 214, Raleigh, NC 27609	Pat Greene, Pres./Amy Van Oostrum, Exec. Dir (800) 542-8844; (919) 874-0507 (fax)
OH	Ohio Professional Teachers Independently Organized Non-coercively (OPTION)	6969 Stonecreek, NE North Canton, OH 44721	Richard Wingerter, Executive Director
OK	Association of Professional Oklahoma Educators (APOE)	420 Cripple Creek Drive Norman, OK 73071	Ginger Tinney (405) 321-0307
PA	Keystone State Teachers Association	Box 868 Mechanicsburg, PA 17055	Randy Hoffman, President (717) 432-1727; (717) 432-8851 (fax)
SC	Palmetto State Teachers Association (PSTA)	2010 Gadsen St. Columbia, SC 29201	Dr. Elizabeth Gressette, Exec. Director (800) 849-7782; (803) 779-2839 (fax)
TN	Professional Educators of Tennessee (PET)	Box 71925 Jefferson City, TN 37760	Dr. Bernard F. Bull (423) 471-3319
TX	Association of Texas Professional Educators (ATPE) Est. 1980 75,000 members	505 E. Huntland Dr., #250 Austin, TX 78752	Peggy DeRoen, President Doug Rogers, Executive Director (800) 777-2873, (512) 467-0071 (512) 467-2203 (fax)
TX	Texas Conservative Academic Network (TxCAN)	Box 2114 Austin, TX 78768-2114	Donna Muldrew, President (800) 399-8226
VT	Vermont Educators for Professional Free Choice (VEPFC)	Box 1692 Burlington, VT 05402,	Dave Stuller, Chairman (802) 862-4275
WA	Washington Association of Professional Educators (WAPE)	4822 S. East Harbor Rd, Freeland, WA 98249	Bob Sullivan, President
WA	Washington Education Association (WEA) Challenger Network, Est. 1995	4815 E. Pineglen Lane, Mead, WA 99021	c/o Cindy Omlin (509) 466-5349
WV	West Virginia Professional Educators (WVPE)	Route 1, Box 25-B Redhouse, WV 25168	Ernest Page, Jr., President (304) 586-3451



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